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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2504 OF 2005

Rakesh @ Gabbar Buddhiram Yadav ... Petitioner

Vs.

Deputy Inspector General of Prison,
Division Mumbai & Ors. ... Respondents

Mr. K.S. Patil for the petitioner.

Ms. P.H. Kantharia, A.P.P. for the State.

CORAM: SMT. RANJANA DESAI &
ANOOP V. MOHTA, JJ.

DATED: 28TH OCTOBER 2005.

P.C.:-

1. Admittedly the petitioner is inside the jail for three years. His application for furlough leave has been rejected by respondent 1 on the ground of adverse police report. In our opinion, considering the fact that the petitioner is in jail for three years out of total sentence of six years, if the petitioner complies with all the conditions, he should be released on furlough, if he is legally entitled to it. Hence, the following order.

2. The Respondents are directed to release the petitioner on furlough leave for a period of 14 days if he is legally entitled to it on his complying with all the necessary conditions including that of furnishing solvent surety to the satisfaction of respondent 1. The

petitioner shall furnish the address where he is going to reside. He shall attend the nearest police station on every alternate day. He shall not threaten the witnesses. Application is disposed of.

(SMT. RANJANA DESAI, J.)

(ANOOP V. MOHTA, J.)